

EP '734. The claims were also rejected under 35 USC §103(a) as being unpatentable over EP '046 and WO '414, optionally further taken with EP '189. To the extent that these amendments do not overcome these rejections, the applicants respectfully reverse these rejections.

The applicants point out that they filed a continuing case, Serial Number 08/679,558 which is currently being handled by Examiner Wilson.

§103 REJECTIONS

The claims were rejected under 35 USC §102(b) as anticipated by or, in the alternative, were rejected under 35 USC §103(a) as obvious over EP '734. The claims were rejected under 35 USC §103(a) as unpatentable over EP '046 and WO'414 optionally, in combination with EP '189. The applicants believe that the claims as amended are not rejectable over these references.

The applicants believe that the closest prior art is EP '734. The applicants have enclosed a Declaration from the continuing case, Serial No. 08/679,558, executed by Dr. Winter. Dr. Winter tested Example 7 of EP '734 which the applicants believe is the closest prior art example and established that this example did not anticipate or render the applicants' claimed invention obvious (see page 2 of the Declaration). Example 7 is monomodal. In particular, Example 7 has a much narrower melting range than the

polyolefin compositions of the present invention and the melt flow characteristics that were observed were a melting point of 126°C with no shoulder, have intensity width of the melting peak 8.5°C and the width at the quarter peak height 12°C. Therefore, the applicants believe that they have established unexpected superior results over the closest prior art example, (Example 7 of EP '734).

The applicants believe that the other references are not as close and do not teach a bimodal or multimodal melting range as is required by the applicants' claimed invention. EP '046 and WO '414 are further removed from the applicants' claimed invention since these references exemplify only the preparation of polyethylenes while the applicants' claimed invention is directed to a process for the preparation of a polypropylene molding composition. While these references teach that a mixture of different polyethylene can be polymerized, polyethylenes alone, have different melting points (see EP '189).

EP '189 describes a molding batch that must have a melting peak in the 75 - 100°C range (preferably 80-95°C) and another one in the 120°C and higher range is described at page 5, lines 48-57. It is described that when the lower peak is not within that range, the polymer ceases being useful for the intended applications (page 5, lines 51-53). The peaks are also described in Figures 1-6. The applicants' claimed invention requires maximum melting range must be between 120 and 165°C (see claim 17). In

addition, EP '189 is totally silent on the melting behavior of the mixtures. Therefore, EP '189 teaches away from the applicants' claimed invention.

The applicants believe that a person of ordinary skill in the art at the time of the invention would not be able to foresee what crystallization behavior two different polypropylenes would have. This means if the two different polypropylenes co-crystallize it would result in a mixture with one narrow melting peak or not, it was unexpected that the process as claimed in claim 17 results in polyolefin molding composition with the melting behavior at these well defined conditions (DSC with heating/cooling rate 20° C/min). A person of ordinary skill in the polypropylene art knows what a DSC is and how the measurement has to be carried out (see enclosed copy of the handbook "Polypropylene and other Polyolefins: Polymerization and Characterization").

The applicants believe that this shows that it was unexpected that the process as claimed by the applicants results in polyolefin molding compositions with a broad melting range which are particularly suitable for the production of moldings by thermoforming, blow molding, extrusion, injection stretch blow molding and for certain film applications, such as heat-sealing or stretching (see page 14 lines 1-5).

For the above reasons, these rejections should be withdrawn.

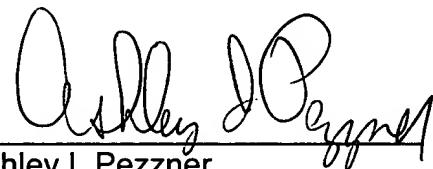
No additional fee is due. If there are any additional fees due in connection with the filing of this response, including any fees required for an additional extension of

time under 37 CFR 1.136, such an extension is requested and the Commissioner is authorized to charge any debit or credit any overpayment to Deposit Account No. 03-2775.

For the reasons set forth above, Applicants believe that the claims are patentable over the references cited and applied by the Examiner and a prompt and favorable action is solicited. The applicants believe that these claims are in condition for allowance, however, if the Examiner disagrees, the applicants respectfully request that the Examiner telephone the undersigned at (302) 888-6270.

Respectfully submitted,

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Polypropylene and other Polyolefins article

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